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Application Number 10/754,115

Filing Date January 7, 2004

First Named Inventor Timothy D. Hey

Art Unit

Examiner Name

Sheet 1 of 8 Attorney Docket Number DAS-104XC1

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2 (F Innown)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevan Figures Appear
IRV	1/	<sup>US-</sup> 6,048,838	04-11-2000	Ensign et al.	(Please review all)
1	2/	<sup>US-</sup> 6,174,860 B1	01-16-2001	Kramer et al.	(Please review all)
	3/	US- 6,277,823 B1	08-21-2001	Kramer et al.	(Please review all)
	4/	<sup>US-</sup> 6.281,413 B1	08-28-2001	Kramer et al.	(Please review all)
	5 /	<sup>US-</sup> 6,590,142 B1	07-08-2003	Petell et al.	(Please review all)
	6/	US- 20020078478 A1	06-20-2002	ffrench-Constant	(Please review all)
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	FOREIGN PATENT DOCUMENTS							
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RVI	7/	WO 95/00647 A1	01-05-1995	Smigielski	(review all)			
	8/	WO 97/17432 A1	05-15-1997	Ensign et al.	(review all)			
	9 /	WO 98/08388 A1	03-05-1998	Jarrett et al.	(review all)			
	10/	WO 98/08932 A1	03-05-1998	Ensign et al.	(review all)			
	11/	WO 98/50427 A1	11-12-1998	Ensign et al.	(review all)			
	121	WO 99/03328 A1	01-28-1999	East	(review all)			

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Translation is attached.

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number 10/754,115 Filing Date January 7, 2004 First Named Inventor Timothy D. Hey Art Unit **Examiner Name** Attorney Docket Number | DAS-104XC1

			U.S. PATENT D	OCUMENTS	
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2 (f known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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RX	13/	WO 99/42589 A2	08-26-1999	Kramer et al.	(Review all)			
	14/	WO 99/54472 A1	10-28-1999	Kramer et al.	(Review all)			
	15.	WO 00/30453 A2	06-02-2000	Jarrett et al.	(Review all)			
	16/	WO 00/42855 A1	07-27-2000	Morgan et al.	(Review all)			
	17/	WO 01/11029 A1	02-15-2001	Petell et al.	(Review all)			
1	18/	WO 02/94867 A2	11-28-2002	Duchaud et al.	(Review all)			

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Examiner Cite Initials* No.		Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages		
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RX	19	WO 04/02223 A2	01-08-2004	Bintrim et al.	(Review all)		
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Substitute for form 1449/PTO		Complete if Known
	Application Number	10/754,115
INFORMATION DISCLOSURE	Filing Date	January 7, 2004
STATEMENT BY APPLICANT	First Named Inventor	Timothy D. Hey
	Art Unit	
(Use as many sheets as necessary)	Examiner Name	
Sheet 4 of 8	Attorney Docket Number	DAS-104XC1

	NON PATENT LITERATURE DOCUMENTS						
Examiner Cite Initials* No.1		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the Item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²				
FK	20 /	BOWEN et al., "Insecticidal toxins from the bacterium Photorhabdus luminescens," Science 280 (5372), 2129-2132 (1998)					
	21 ,	BOWEN et al., Insecticidal toxin complex protein TcaC (Photorhabdus luminescens), GENBANK Accession No. AAC38625 (gi:3265037), June 30, 1998					
	22 /	BOWEN et al., Insecticidal toxin complex protein TcbA (Photorhabdus luminescens), GENBANK Accession No. AAC38627 (gi:3265040), June 30, 1998					
	23 /	FFRENCH-CONSTANT et al., "Photorhabdus toxins: novel biological insecticides," Current Opinion in Microbiology (1999), p. 284-288, vol. 12					
	24 /	FFRENCH-CONSTANT et al., "Novel insecticidal toxins from nematode-symbiotic bacteria," Cellular and Mol. Life Sciences (5/00), p. 828-833, vol. 57, no. 5					
	25 /	FFRENCH-CONSTANT et al., "A Genomic Sample Sequence of the Entomopathogenic Bacterium Photorhabdus," Appl. Environ. Microbiol. (8/00), p. 3310-3329, vol. 66, no. 8					
	26 /	FORST et al., "Molecular Biology of the Symbiotic-Pathogenic Bacteria Xenorhabdus spp. and Photorhabdus spp.," Microbiological Reviews (3/96), p. 21-43, vol. 60, no. 1					
	27 /	HURST et al., "Plasmid-Located Pathogenicity Determinants of Serratia entomophila," Journal of Bacteriology (09/00), p. 5127-5138, vol. 182, no. 18					
	28	HURST et al., SepA (Serratia entomophila), GENBANK Accession No. AAG09642 (gi:9963678)					
J	29 /	HURST et al., SepB (Serratia entomophila), GENBANK Accession No. AAG09643 (gi:9963679)					

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Sheet	5	of	8	Attorney Docket Number	DAS-104XC1	

			NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*		r Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
ļ	RK	30 /	HURST et al., SepC (Serratia entomophila), GENBANK Accession No. AAG09644 (gi:9963680)		
		31	MERLO et al., Toxin A (Photorhabdus luminescens), GENBANK Accession No. AAF05542 (gi:6176340), November 2, 1999		
		32	MORGAN et al., "Sequence Analysis of Insecticidal Genes from Xenorhabdus nematophilus PMF1296," Appl. Environ. Microbiol. (5/01), p. 2062-2069, vol. 67, no. 5		
. 33		33 ,	MORGAN et al., Xenorhabdus nematophilus genes, GENBANK Accession No. AJ308438, May 11, 2001		
		34	MORGAN et al., Putative chitinase (Xenorhabdus nematophila), GENBANK Accession No. CAC38398 (gi:14041727), May 11, 2001		
		35 /	MORGAN et al., XptA1 protein (Xenorhabdus nematophila), GENBANK Accession No. CAC38401 (gi:14041730), May 11, 2001		
		36 ,	MORGAN et al., XptB1 protein (Xenorhabdus nematophila), GENBANK Accession No. CAC38402 (gi:14041731), May 11, 2001		
		37 /	MORGAN et al., XptC1 protein (Xenorhabdus nematophila), GENBANK Accession No. CAC38403 (gi:14041732), May 11, 2001		
		38 /	MORGAN et al., XptA2 protein (Xenorhabdus nematophila), GENBANK Accession No. CAC38404 (gi:14041733), May 11, 2001		
		39 /	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas), GENBANK Accession No. ZP_00083266 (gi:23058175)		

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Substitut	te for form 1449/PTO			Complete if Known		
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INF	ORMATION	DIS	CLOSURE	Filing Date	January 7, 2004	
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Sheet	6	of	8	Attorney Docket Number	DAS-104XC1	

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IRX	40 /	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas), GENBANK Accession No. ZP_00083267 (gi:23058176)	
	41 /	NCBI Microbial Genomes Annotation Project, Hypothetical protein (Pseudomonas fluorescens), GENBANK Accession No. ZP_00084399 (gi:23059431)	
	42 /	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family-protein (Pseudomonas), GENBANK Accession No. ZP_00084400 (gi:23059432)	
	43 ,	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas), GENBANK Accession No. ZP_00084401 (gi:23059433)	
	44 /	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas), GENBANK Accession No. ZP_00084403 (gi:23059435)	
	45 )	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas), GENBANK Accession No. ZP_00125560 (gi:23470227)	
	46 /	NCBI Microbial Genomes Annotation Project, Hypothetical protein (Pseudomonas syringae), GENBANK Accession No. ZP_00126265 (gi:23470933)	
	47	NCBł Microbiał Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas), GENBANK Accession No. ZP_00127864 (gi:23472540)	
	48 /	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas), GENBANK Accession No. ZP_00127865 (gi:23472541)	
1	49 /	NCBI Microbial Genomes Annotation Project, Hypothetical protein (Pseudomonas syringae), GENBANK Accession No. ZP_00127867 (gi:23472543)	

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ı	Signature	Kosame Kosson	Considered	0120100

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		NON PATENT LITERATURE DOCUMENTS	
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LV,	50 /	NCBI Microbial Genomes Annotation Project, Hypothetical protein (Pseudomonas syringae), GENBANK Accession No. ZP_00127868 (gi:23472544)	
	51	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas), GENBANK Accession No. ZP_00127869 (gl:23472545)	
	52	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas), GENBANK Accession No. ZP_00127870 (gi:23472546)	
	53 /	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas), GENBANK Accession No. ZP_00123877 (gi:23468542)	
	54 ,	PETTERSSON et al., "Transfer of Bacillus lentimorbus and Bacillus popilliae to the genus Paenibacillus," Int. J. Syst. Bacteriol. (1999), p. 531-540, vol. 49, no. 2 (abstract)	
	55	SHIDA et al., "Emended description of Paenibacillus amylolyticus and description of Paenibacillus," Int. J. Syst. Bacteriol. (1997), p. 299-306, vol. 47, no. 2 (abstract)	
	56	WATERFIELD et al., "Oral Toxicity of Photorhabdus luminescens W14 Toxin Complexes in Escherichia coli," Appl. Environ. Microbiol. (11/01), p. 5017-5024, vol. 67, no. 11	
	57 ,	WATERFIELD et al., "The toxin complex genes of Photorhabdus: a growing gene family," Trends in Microbiology (04/01), p. 185-191, vol. 9, no. 4	
	58 /	WATERFIELD et al., "Genomic islands in Photorhabdus," Trends Microbiol. 10 (12), 541-545 (2002)	
J	59 /	WATERFIELD et al., Toxin complex protein (Photorhabdus luminescens), GENBANK Accession No. AAL18473 (gi:16416915)	

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INFO	DRMATION	DIS	CLOSURE	Filing Date	January 7, 2004	
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KK	60 /	WATERFIELD et al., TcdA1; toxin complex protein (Photorhabdus luminescens), GENBANK Accession No. AAL18486 (gi:16416929)	
	61 /	WATERFIELD et al., TcdB1; toxin complex protein (Photorhabdus luminescens), GENBANK Accession No. AAL18487 (gi:16416930)	
	62 /	WATERFIELD et al., TccC2 (Photorhabdus luminescens), GENBANK Accession No. AAL18492 (gi:27479639)	
	63	WATERFIELD et al., TccC4 (Photorhabdus luminescens), GENBANK Accession No. AAO17196 (gi:27479669)	
	64 ,	WATERFIELD et al., TcdA2 (Photorhabdus luminescens), GENBANK Accession No. AAO17201 (gi:27479674)	
	65 ,	WATERFIELD et al., TcdB2 (Photorhabdus luminescens), GENBANK Accession No. AAO17202 (gi:27479675)	
	66 /	WATERFIELD et al., TccC3 (Photorhabdus luminescens), GENBANK Accession No. AAO17204 (gi:27479677)	
	67	WATERFIELD et al., TcdA4 (Photorhabdus luminescens), GENBANK Accession No. AAO17209 (gi:27479682)	
	68 /	WATERFIELD et al., TccC5 (Photorhabdus luminescens), GENBANK Accession No. AAO17210 (gi:27479683)	
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